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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 07-0056 CRB
Plaintiff,) STIPULATION HOLDING IN
v.) ABEYANCE DEFENDANT'S MOTION
ELMO DANIELS,) TO SUPPRESS AND SETTING CASE
Defendant.) FOR CHANGE-OF-PLEA OR STATUS
HEARING ON MAY 23, 2007, AND
[PROPOSED] ORDER

The parties have been discussing a potential resolution of this case and believe they are close to agreement. The parties further believe that their and the Court's resources would most efficiently be focused on this proposed resolution rather than on defendant's motion to suppress, which currently is pending before this Court. Accordingly, the parties stipulate and recommend to the Court as follows:

1. Defendant has filed a motion to suppress. The government's opposition to this motion is currently due on May 9, and defendant's reply is due on May 16. In light of the parties' belief that they are close to resolving this case on the merits, defendant's motion to suppress should be held in abeyance, and the parties need not file their respective opposition and reply on May 9 and May 16.

2. The Court currently is scheduled to hold a hearing on May 23, 2007, at 2:15 pm, on defendant's motion to suppress. The parties request that the Court convert this motion hearing to a change-of-plea or status hearing on the same date and time.

IT IS SO STIPULATED.

DATED: May 4, 2007

DATED: May 4, 2007

ANDREW P. CAPUTO
Assistant United States Attorney

IT IS SO ORDERED.

DATED: May 8, 2007

HON. CHARLES R. BREYER
United States District Judge

IT IS SO ORDERED

Breyer

Judge Charles R. Breyer